

REMARKS

By the above actions, the specification and claims 15, 16, 19, and 31 have been amended. Additionally, accompanying this response under separate cover are two new sheets of drawings with corrected Figures 3 & 4. In view of these actions and the following remarks, reconsideration of this application is requested.

The Examiner's objection to the Declaration has been noted, but is submitted to be inappropriate. If the Examiner will look at the Declaration, he will notice that it is an official PTO form which provides no place for the data requested and is a form for use with an Application Data Sheet, such a Data Sheet having been submitted containing the data noted by the Examiner to be missing from the Declaration. Furthermore, as clearly indicated in the section of the MPEP quoted by the Examiner in his Action, 37 CFR § 1.63 expressly provides for the mailing or post office address to be provided in an Application Data Sheet instead of the Declaration. Accordingly, the objection to the Declaration should now be withdrawn.

With regard to the objection to the drawings, the new drawings submitted as noted above should obviate this rejection, so that withdrawal thereof is requested.

The Examiner's objection to abstract appears to be due to an oversight. That is, a new abstract was presented as an appended separate sheet forming part of applicant's Preliminary Amendment and does not possess the defects which form the basis for the Examiner's objection, which objection appears to be based on the abstract of the translated original application. Accordingly, this objection should also be withdrawn.

Claim 19 was objected to due to the presence of a superfluous "and" in line 1. This word has now been deleted, so that withdrawal of this objection is requested.

Claims 15-30 were rejected under 35 U.S.C. § 112 as being indefinite. In particular, claims 15 & 22 were found to lack proper antecedent basis for the "core guidance channel" language in these claims, and this problem has been corrected by changing the terminology to match the "at least one core guidance channel" previously recited in claim 15 which was intended to provide the antecedent basis. As for claim 24 plurality of cores, while the existence of a plurality of cores is believed to be inherent in a "multicore" cable, claim 16 has been amended expressly recite the fact that the multicore cable has a plurality of cores. In view of these actions, withdrawal of this rejection is now in order and is requested.

Claims 15-34 have been rejected under 35 U.S.C. § 102 as being anticipated by the Koch patent. However, this rejection appears to be based upon a misreading of the disclosure of the Koch patent and should be withdrawn for the following reasons.

Firstly, it is noted that the Koch patent is the U.S. counterpart to the German patent 44 18 259 commented in detail in paragraph nos. [0008] and [0009], pages 3 & 4 of the substitute specification (compare with the item [30] priority data on the face of the Koch patent). As noted there, resiliency is obtained by providing longitudinal slots (31, 32) which intersect the core guidance channels (27), not by use of a soft material and is consistent with the description at column 4, lines 57-62. This construction taught by Koch has the disadvantages described in the noted paragraph [0009] of applicant's specification, and thus, need not be repeated here.

In making his rejection, the Examiner has stated that:

... the core holding and guiding part 3 [*sic*, 5, 3 being the cable sheath] includes a first section of soft material (inside of 27, i.e., resilient plastic (Col 3, lines 38-42), and a second section of hard material (outside of 5 may be metal or injected plastic) which is harder than the soft material (i.e., resilient plastic), the core guidance channel (27) being provided in the first section and the second section having a positioning aid (Col. 4, lines 49-52)

....

However, this description of Koch bears no resemblance to what is actions stated by him. Nowhere does Koch disclose that his distribution piece 5 is made or can be made of multiple materials and nowhere does Koch disclose the presence of softer material in channels 27 than the rest of distribution piece 5. Col. 3, lines 38-42 merely indicate that the distribution piece can be made of plastic, not that part of it can be made of plastic. Col. 4, lines 49-52 merely describe the fact that the distribution piece 5 is provided with axial channels 27 for holding an unstripped stranded wire 4 and no mention is made there of material within the channels 27. Furthermore, column 4, lines 24-26 state that the distribution piece 5 "preferably is made of metal, but may be made of plastic injection molding" but not that it can be made partly of metal and partly of plastic as asserted to be the case by the Examiner.

Furthermore, while it is clear from the Examiner's statement that he considers Koch's channels 27 to correspond to applicant's core guidance channels (10), it is not clear what the Examiner considers to be the counterpart to applicant's positioning aid (13) since the cited lines of the Koch patent solely describe the channels 27, and a review of the entire Koch disclosure failed to reveal any element which serves to align the conductors of the contact

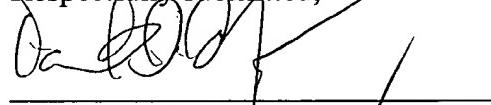
elements as is the case for the present applicant's positioning aid (see paragraph [0033]). In this regard, it is pointed out for the positioning aid to function as such, it must be arranged axially with respect to the channels containing the wires that the contact conductors are to engage. Thus, applicant's first section with core guidance channels 10 is arranged axially of the second section with the positioning aid 13 as shown in Figs. 3 & 4. On the other hand, the Examiner has referred to Koch's distribution part 5 as having a soft inside of plastic and a hard outside of metal. Even forgetting about the fact already pointed out that Koch contains no such disclosure, if that were the case, it is not understood how the section with the positioning aid could be part which surrounds the section with channels 27 and still function to align the contacts relative to the wires.

Accordingly, it is not seen how the Examiner's interpretation of the Koch patent is consistent with its disclosure, nor is it understandable how this patent, when properly construed, can be considered to even render obvious, let alone anticipate the present invention. As such, the § 102 rejection should be withdrawn.

The prior art that has been cited, but not applied by the Examiner has been taken into consideration during formulation of this response. However, since this art was not considered by the Examiner to be of sufficient relevance to applying against any of the claims, no detailed comments thereon is believed to be warranted at this time.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with applicant's representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Respectfully submitted,



David S. Safran
Registration No. 27,997

Nixon Peabody LLP
8180 Greensboro Drive, Suite 800
McLean, Virginia 22102
(703) 770-9300